



IT IS ORDERED as set forth below:

Date: September 9, 2019

A handwritten signature in black ink, appearing to read "B. Ellis-Monro".

**Barbara Ellis-Monro
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

In re: : **Chapter 11**
: **EDWARD BYRON SLAUGHTER; et al. :** **Jointly Administered Under**
: **Debtors.** : **Case No. 13-42906BEM**

CONSENT ORDER

It appearing that E. Byron Slaughter, LLC (the "Reorganized Debtor") filed a Motion to Reopen the Case on July 16, 2019 ("Motion") (Doc. 526) requesting that the Court reopen the E. Byron Slaughter, LLC bankruptcy case no. 13-42907 (the "Chapter 11 Case"); and

It appearing that Apex Bank, a secured creditor of Reorganized Debtor filed a Response in Opposition to Reorganized Debtor's Motion to Reopen Case and Request for Hearing on July 23, 2019 ("Apex Bank Response") (Doc. 528); and

It appearing that the Court entered an Order and Notice of Hearing on the Motion and Apex Bank Response for September 4, 2019 at 9:25 a.m.; and

It appearing that an Order was entered December 1, 2015 (Doc. 454) Confirming First Amended Plan of Reorganization (“Confirmed Plan”) and that an Order and Final Decree Closing Ch. 11 Case was entered September 23, 2016 (Doc. 516); and

It appearing that Apex Bank is the current holder of the secured claim (the “CRE Claim”) of 2010-1 CRE Venture, LLC as assignee of the FDIC, as Receiver for Community Bank of West Georgia (“CRE”) under the Confirmed Plan; and

It appearing that in the Motion, the Reorganized Debtor seeks to reopen the Chapter 11 Case to allow the Court to consider two specific matters: (1) Apex Bank’s alleged refusal, as holder of the CRE Claim, to apply the principal amount of certain purchase promissory notes assigned to Apex Bank from the sale of CRE Collateral and reduce the principal balance of the CRE Claim, and (2) Apex Bank’s alleged refusal to provide or confirm the payoff amounts necessary to obtain the release of certain properties proposed to be sold by the Reorganized Debtor from the lien of the CRE Loan Documents; and

It appearing that at the call of the calendar on September 4, 2019, counsel for the Reorganized Debtor and Apex Bank announced that they had reached the terms of a Consent Order; and

It appearing that as evidenced by the signatures of counsel for the Reorganized Debtor and Apex Bank hereto that the parties consent to the entry of this Order, and good cause appearing therefor;

NOW, THEREFORE, IT IS HEREBY ORDERED that the E. Byron Slaughter, LLC bankruptcy case no. 13-42907 be reopened for the purpose of resolving the issues concerning the Confirmed Plan noted in the Motion, matters incident thereto, and the rights and obligations of the parties under the Confirmed Plan.

End of Document

(Signatures continued on following page)

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